



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Scott Hassett, Secretary

101 S. Webster St.
Box 7921
Madison, Wisconsin 53707-7921
Telephone 608-266-2621
FAX 608-267-3579
TTY Access via relay - 711

NR 115 Listening Sessions

Summary of Listening Session Appearance Slips

Listening sessions were an opportunity for the public to review and comment on the draft proposals generated together by the Advisory Committee and the Department. Listening sessions were added as an additional step in the traditional rule revision process because the Department recognizes this issue needs special consideration and debate in an open, informative, honest and participatory forum.

Over 850 people attended eight listening sessions that were held around Wisconsin. Comments were accepted on prepared comment sheets, as oral comments at the listening sessions, and as written letters. Comments were accepted until December 31, 2003. Over 1000 comments were submitted regarding the NR 115 Advisory Committee recommendations. To be considered as a comment, the respondent was only required to provide their name.

Over 170 people submitted appearance slips at the listening sessions. A summary of the comments provided on appearance slips is provided below.

Spooner Listening Session, November 11, 2003.

John J. Joseph, Iron River, WI.

- Northern Coalition for Fair Zoning
- Shoreland buffers. Differences between DNR recommendations for fire protection and regulations in NR115.

Fred Anderson, Gordon, WI.

- Whitefish Lake Conservancy, Douglas County Assn. of Lakes and Streams

Mary Motis, Gordon, WI.

- Lake Assn
- Campgrounds

Les Solin, Lake Nebagamon, WI.

- General

Jeff Timmons, Amery, WI.

- None/Polk Co.

John Styczinski, Jr., Conrath, WI.

- RCCAR

Fred Blake, Sarona, WI.

- Washburn County Lakes and Rivers Association
- General response.

Cy Lepak, Cumberland, WI.

- Self.
- Sewage, shoreline alteration, pumping or controlling water levels, structures and equipment extending into water.

Andrew Walch, Stone Lake, WI.

- Self

Harry Schroeder, LaCrosse, WI.

- Sawyer County Lakes Forum

Betty Stebbings, Spooner, WI.

- Property owner and Lake Assoc. Crystal Lake
- Campground development

Gene Ackland, Webster, WI.

- Zoning, setbacks.

James Schmidt, Clayton, WI.

- Lake Magnor Lake Association

Gerald E. Wagner, Webster, WI.

- Self
- My concern is the complete lack of discussion as to the loss of property rights when new regulations are promulgated. Why can't the losers be compensated for their loss? Easements rights and development rights can be purchased or accepted as outright donations. If regulations are for public benefit, the public should be willing to pay the costs.

Warren Sundseth, Webster, WI.

- 40' from lake - natural bank. Repair of my home.

Al Arnold, Rice Lake, WI.

- I prefer option "B" in all areas.

James K. Heim, Solon Springs, WI.

- Upper St. Croix Lake Assn.
- Keep our lakes safe from reckless development.

Steve Ritchie, Rice Lake, WI.

- Coil's Realty

Dale Amundson, Cumberland, WI.

Glenn E. Kolb, Cumberland, WI.

- Present and planned lakeshore restriction.

Jean Sundseth, Webster, WI.

Barbara Plummer, New Auburn, WI.

- Landowner, lake edge and wetland.

Michael R. Robin, Minong, WI.

- Washburn County (WI) Zoning, Chairperson.

Karen Coil, Cumberland, WI.

- Prefer option "b".

Steve Ritchie, Rice Lake, WI.

- In reference to proposals, my preference is for option (B) in all instances.

Duane and Lois Willhard, Webster, WI.

- In a sense, it is blackmail to require nonconforming residents to sign a covenant on their land before they can get a variance of any kind.

Joyce Olson, Birchwood, WI.

John H. Olson, Birchwood, WI.

- Director, Red Cedar Lakes Assn.

Susan A. Bohn, Grantsburg, WI.

- Burnett Co. County Board - Zoning. Comm.

- Realtors in Burnett Co. attempted to undermine our attempt to improve (simplify) shoreland regulations which caused a big uproar, but in the end a lot of people learned a lot! We decided to wait for NR115. We need strong regulations.

Mary Poretti, Webster, WI.

- Chair Burnett County Zoning Committee
- Upgrade of Burnett County Zoning regs.

Matson B. Holbrook, Mequon, WI.

Maureen Hubler, Danbury, WI.

- How will this affect selling your property?

Michael A. Goodrie, Webb Lake, WI.

- Current restriction already go to far - creating further restriction are not needed. You are not going to turn our lakes back to the wilderness. It's too late for that. Lake property owners should be allowed to add on and keep their property value.

Craig Conroy, Webster, WI.

- See my written comments. No doubt more will follow.

Jim Flanigan, Siren, WI.

- Burnett Co. Zoning
- After working in shoreland zoning for over 20 years, I believe the only fair way to deal with nonconforming shoreline setback is to allow unlimited repair including replacement of same size and shape. This will eliminate the taking issue. But no additions could be allowed to any nonconforming structure. If addition were allowed with reconstruction, you would have a new/diff structure at a reduced setback for one but yet an adj. owner on a vacant lot could not build the same. Big legal problem.

Judy Vitcenda, Hayward, WI.

- Lake shore. Sm. walk bridge across a tiny creek.

Marion Ike, Danbury, WI.

- Ike Walton Lodge
- Weedy shoreline - health hazard?

James P. Coil, Cumberland, WI.

- Coil's Realty Service Inc.
- Prefer option "B" in most areas (maybe all). Option "A" is overly restrictive on most areas (maybe all).

Dick Hollas, Comstock, WI.

Diane Kimball, Minong, WI.

- Kimball Lake Property Owners Assoc.
- Preservation of shoreline. Increased setbacks. Less piers and other equipment (raves, swim rafts) allowed in the water.

Cory Connard MacNulty, Ashland, WI.

- LoonWatch of the Sigurd Olson Environmental Institute, Ecologist, Environmental Educator

- LoonWatch works to protect Common Loons and their aquatic habitats through education, monitoring and research.

Douglas Kurtzweil, Harward, WI.

- Chippewa Flowage Area Property Owners Association
- Property rights

Roger Wilson, Gordon, WI.

- Personal
- Fertilizer runoff - commercial. Comment on compromise.

Cynthia Kerr Olson, Hastings, MN.

- Self
- 1. Inconvenience of listening sessions. 2. Lack of any evidence that the economic impact of any more restrictive rules or laws is being sufficiently considered. "If Burnett Co. doesn't know how many properties are with 75' of the OHWM; neither does the DNR." 3. I am opposed to the 30' viewing corridor on basis of public health and safety issues. With West Nile Virus and Lyme's disease, I'm afraid I consider me and my family much more important than fish or green frogs. 4. Why aren't the taxes for non-conforming properties going down?

Fred Kruger, Spooner, WI.

- Self
- Clearing trees and making lawns to water's edge.

Mary E. Kelly, Hayward, WI.

- Support revision and effort.

Michael Norris, Stone Lake, WI.

- Stone Lake Shore Owners Association - SOSLA
- Sanitary regulations, written evidence will be submitted.

Kathleen Taylor, Hayward, WI.

- Sawyer County. Zoning Secretary
- As this relates to zoning in Sawyer County.

Otto J. Rusch, Iron River, WI.

- Northern Coalition for Fair Zoning
- Buffers. Exotic species. Phosphorus. Incorporated cities.

Sandy Anderson, Gordon, WI.

- Wis. Assn of Lakes - BOD
- Increase minimum standards.

Ellen W. Connolly, Madison, WI.

- WILCO - White Fish Lake Conservancy Org
- Restricting needless development.

Lake Tomahawk Listening Session, November 12, 2003.

Chuck Ahlborn, Arbor Vitae, WI.

- Vilas County Sup., Zoning Committee Chairman
- Existing ordinance revision.

Mike Roach, St. Germain, WI.

- I believe that a non-conforming structure should for ever be maintained. I also think there are mitigation programs that can help our lakes. I like the county being able to control which is good for my lake.

John Schwarzmamm, Minoqua, WI.

- 1. You need a better definition of "structure". Right now, Oneida County is claiming that a ruin with no assessed value is a "legal non-conforming structure." Structure should include primary dwellings or other buildings that have an assessed value. 2. Keep the multi-family development law the same, otherwise you are asking for a big problem with wastewater and septic. Look at the history of Deer Lake on the 3-lake chain for an example.

Kim Zambon, Rhinelander, WI.

Chip Nielsen.

Ted Cushing, Hazelhurst, WI.

- Hazelhurst - Town Supervisor. Oneida County - Supervisor, Member Zoning Committee.

John Schwarzmamm, Minocqua, WI.

- Impervious surface provisions. Proposal B is unacceptable. It would authorize a parking lot and lead to urban levels of development. Proposal B along with the relaxed standards on multifamily dwellings opens the door for "condoization of our lakes".

Jim Mulleady, Eagle River, WI.

- My area of concern is the once of enforcement. It is not difficult to enforce the building standards. I believe it will be quite difficult to enforce the 30% VAC, primary buffer, native vegetation, etc. What happens to the property owner who already has cleared the primary buffer or one who already has a VAC larger than the 30% VAC.

Ron De Bruyne, Arbor Vitae, WI.

Franklin N. Greb, Three Lakes, WI.

- Shoreline zoning.

Mary E. Bierman, Three Lakes, WI.

- Forest County Assoc. of Lakes, Inc.

Kay Scharpf, Eagle River, WI.

- Sigurd Olson Loon Watch
- Shoreline zoning.

Gary Baier, Tomahawk, WI.

- Oneida Co. P & Z Committee
- NR115 Rewrite.

Sue Ackland, Lac du Flambeau, WI.

- Town of Lac du Flambeau Zoning Administrator
- II. OHWM & VAC. III. Nonconforming structures and definitions.

Robert Farris, Eagle River, WI.

- Merging existing substandard lots.

Bob Martini, Rhinelander, WI.

- Myself.
- Shoreline protection.

Jerry Zimpelmann, Eagle River, WI.

- Tax Payers for Fair Zoning
- Nonconforming, shoreland beauty.

Ron Krueger, Crandon, WI.

Ken Roesler, Gleason, WI.

- Chair, Lincoln Co. Lakes Assoc. President, Long & Bass Lake Assoc.

Michael Schindler, Phelps, WI.

- Maintaining shoreland management laws which guarantee our lakes will be preserved for our children and grandchildren.

Sandy Gillum, Eagle River, WI.

- Vilas County Lakes Assoc.

Rebecca J. Frisch, Antigo, WI.

- Langlade County Zoning Admin. Representing the Water and Land Use Planning Committee.

Ginny Strobl, Kennan, WI.

- Nonconforming question.

Karl A. Fate, Rhinelander, WI.

- Self.
- Lake protection.

James Tait, Boulder Junction, WI.

- Self - property owners - WRA
- House where it is currently built should remain legal. Legal lot should remain legal lot, especially regardless of lake classification.

Rodney Z. Watkins, Hazelhurst, WI.

- Habitat quality.

R. T. Krueger, Crandon, WI.

- Northern Lakes Service, Inc.

Pete Daveson, Crandon, WI.

Eau Claire Listening Session, November 13, 2003.

John Stencil, Weyerhaeuser, WI.

- CCPOR - Concerned Citizens for Property Owners Rights, Town of Big Bend Rep.
- All

Cecelia A. Stencil, Weyerhaeuser, WI.

- Town of Big Bend (Clerk - Treasurer), Secy of Island Lake Chain Prop. Owners, and Bd Mbr - Island Lake Mgmt Dist.
- Nonconforming issue

Nancy Niznik, Medford, WI.

- Lake Holecombe lot

Doug Hostnick, Edina, MN.

- Someone to present non-resident property owners on the governing rules

Patricia Andress, Chippewa Falls, WI.

- WAL Board Member
- attached

Seiber Robert, Bloomer, WI.

- Rights

Jack Nessen, Turtle Lake, WI.

- Boathouses

Jim Olson, Eau Claire, WI.

- General ecological concerns

Chuck Ward, Altoona, WI.

- 1 - Renovation site limit of 1500 s.f. 2 - Commercial property, I.e. marina, restaurant, parking, land use - all use regulated the same residential - not realistic

Robert Wierman, Chippewa Falls, WI.

Dan Reiter, Eau Claire, WI.

- Hard surface runoff, storm sewer runoff

Steve Gausman, Eau Claire, WI.

- Just myself
- I am strongly in favor of the revised shoreline management program which will limit shoreline development.

Carol A. Robinson, River Falls, WI.

- City of River Falls - Alderperson
- General comments, storm water runoff

Meg Marshall, Eau Claire, WI.

- Rusk Co. Waters Alliance
- - Support proposal A for buffers, 35' barely enough. - Also support impervious surface restrictions. - Wis. lakes are mine (too) and I want them natural.

Onalaska Listening Session, December 1, 2003.

Kathy Drummer, Holmen, WI.

- Non-conforming structures - repairs & additions

Michael S. Peterson, Onalaska, WI.

- Lake Arbutus Association Board member
- Preserving natural shorelines. No city looking lots on water.

Barbara Hammes, Onalaska, WI.

Bud Hammes, Onalaska, WI.

Fred Funk, Onalaska, WI.

- self

M. Paul Hendrickson, Holman, WI.

- Buffers, VAC, Lot Size - river different, should be modified

Dick Jesskesski, Trempealeau, WI.

- Mississippi River

Terry A. Schmidt, Black River Falls, WI.

- Jackson County Zoning Department

M. Paul Hendrickson, Holmen, WI.

- Self
- Buffer, lot size, VAC, OHWM setback allowance. Mississippi River is unique, should not apply. Do not make any sense.

John Wetzel, Holmen, WI.

- Myself
- 1. Do the current rules fit river systems? The current rules seem to apply more to lakes. 2. There is a need for emergency rules especially during floods so that protection work can be done before significant damage has occurred. I believe current rules require a public hearing which significantly delays such protective actions. Example: 2001 flood on the Miss. R. and damage along Lake Onalaska.

Rose Schaper or Ed Schaper, Black River Falls, WI.

- Lost Falls Campground
1. Shoreland buffer 2. OHWM setbacks: campsites - are current campsites "grandfathered"? 13. Recreational areas: campgrounds - against limits on camping unit stays.

Grand Chute Listening Session, December 4, 2003.

Bob Holzbach, Clintonville, WI.

- Long Lake Property Owners Association - Shawano County, President

Terry Hilgenberg, Shawano, WI.

- Shoreline issues

Dick Jahnke, Wabeno, WI.

- Enforcement

Steven J. Spanbauer, Neenah, WI.

- Town of Neenah - Town Chairman
- Natural vegetative area (against) and vision corridors

Pat Kaster, Green Bay, WI.

James Hlaban, Ogdensburg, WI.

Sue Vanden Langenberg, Sturgeon Bay, WI.

- Door Co. Planning Dept.
- BMPs

K.C. Maurer, Appleton, WI.

- Property values, grandfather properties, setbacks, updating existing structures, building on current vacant lots.

Kay Miller, Sturgeon Bay, WI.

- Door County Zoning Administrator II
- Definitions of major reconstruction, definitions of structural alteration, impervious surface ratios, minimum buildable area proposal A requires elevations & wetland delineations.

Robert Stillings, Appleton, WI.

- Lake preservation

Eric Anderson, Kaukana, WI.

- Same
- Shoreline and water preservation

Len Pubanz, Shawano, WI.

- POWR - Protect Our Wolf River

Jennifer Sunstrom, Appleton, .

- Realtors Association NE

Gene Erdmann, Neenah, WI.

Shawn Specht, New London, WI.

- Town of Mukewa Waterfront Property Owners Committee

- Nonconf. structures should be given maximum leeway for additions or changes because they were built conforming when they were built. Go ahead and control new construction and development all you want.

Patrick Bolton, Shawano, WI.

- Generally in favor of revised proposal

George E. Rock, White Lake, WI.

- Wolf River Chapter Trout Unlimited
- Save our environment for our grandchildren!!!

Penny Bernard Schaber, Appleton, WI.

- John Muir Chapter of the Sierra Club
- I think it is essential that we protect the lakes and rivers of Wisconsin. We need to use regulations to guide shoreland development. I feel that proposal A is the stronger set of proposals which will protect the lakes and rivers. Lot sizes, setbacks, placement of boathouses and use of best management practices will allow for protected use of lakes and rivers. If we do not set strict and effective regulations we will ruin our lakes and rivers. I urge the DNR to accept the most protective proposal for NR115. I think the use of native plants/plantings needs to be very strongly recommended or required and enforced.

Jim Erdman, Oshkosh, WI.

- Winnebago Chain is a unique river system unlike individual lakes - must be addressed separately from other inland lakes.

David Rieckmann, New Holstein, WI.

- Runoff pollution, water pollution, shoreland development, vegetative buffers, protecting public waters, biodiversity, and healthy ecosystems.

DuWayne Klessig, Chilton, WI.

- Calumet County Planning

Mark Beilfuss, New London, WI.

- Myself

Henry Katz, Manitowoc, WI.

- I filled out many areas and commented in appropriate areas. My message to you is - where development, variances, developers interests, rules, etc. adversely impact shoreline and lakes - protect the shoreline and lakes - they will be there forever - people die every 50 - 90 years. Don't allow all these variances and exceptions to setbacks etc. as they adversely affect lakeshores - supposedly what are you protecting.

Linda Kleiman, Kewaunee, WI.

- Lake Michigan frontage landowner, Kewaunee Marina Manager, owner North East Wisconsin Real Estate Inc.
- Please address Lake Michigan shoreline area with bluffs 40 to 80 feet erosion - differently. What we can do to protect. Are you going to make different standards?

Fred Schmobeby, Wautoma, WI.

- Board member, Little Hills Lake District

- Lake owners who feel they can fence in their lot down to the water's edge - or exposed shore area - can they prevent the public from using exposed shore area? Please clarify - ordinance or statute.

Tom Cathlin, Saxeville, WI.

- President, Long Lake Association, Waushara County, Town of Saxeville
- Shoreland zoning - development

Adeline Peterson, Winneconne, WI.

- To be able to repair a boathouse on Wolf River

Crivitz Listening Session, December 5, 2003.

Gregory Reinhardt, Amberg, WI.

- Glen Lake Assn
- Keyholing, Shoreline zoning enforcement.

William Dutton, Townsend, WI.

- Oconto Lakes and Waterway Assn
- Where are you addressing "keyholing" that is a marina developed on the water for off water development. This relates to both water and shoreland regulations.

Pete Pfankuch, Crivitz, WI.

- Self
- Whole thing.

Madison Listening Session, December 9, 2003.

Lance Gurney, Baraboo, WI.

- Sauk Co. Planning and Zoning
- All proposals - revisions.

Donna Sefton, Blue Mounds, WI.

Sheehan Donoghue, Madison, WI.

- Plum Lake Property Owners Assoc.
- Boathouses - elimination of \$ cap on repair and maintenance of boathouses. People need to be able to maintain their wet boathouses both above and below the waterline.

Donna DePape, Madison, WI.

- Anvil Lake Assoc.

Don Hammes, , .

Andrea Good, Mt. Horeb, WI.

- Upper Sugar River Watershed Association, Development Director
- USRWA supports changes to NR115 that will enhance and preserve watershed resources.

Bruce Haukom, Jefferson, WI.

- Wisconsin County Code Administrators, also Jefferson County Zoning
- Make certain to have clarity in 1. Stairways 2. VAC definitions - clearcutting 3. Non-conforming structures, maintain and repair

Dustin Grant, Oxford, WI.

- Self
- Hypocrisy of DNR. Problems of enforcement with some aspects of proposed codes. Conflicts within ordinance. Usurping local authority.

Peter Murray, Madison, WI.

- Wisconsin Association of Lakes

M. F. Bremer, Baraboo, WI.

- Sauk County Planning and Zoning

Jeff Smith, Madison, WI.

- Trout Unlimited

Waukesha Listening Session, December 11, 2003.

Doug Wheaton, Racine, WI.

A. Glenn Lemmenes, Brookfield, WI.

- Set-back requirement.

Gerald Peterson, Elkhorn, WI.

- Lauderdale Lakes Conservancy
- Proposed changes to Section VII should not preclude a family owning two adjacent lots over 20,000 s.f. each to sell/transfer one to a family member to build a home! Walworth County has a R-1 min. lot size of 40,000 s.f. for new lots. Lots that are of long standing record with >100 ft frontage and can meet all the setbacks should remain buildable when sold/transferred - especially to a family member.

Judith Bullwick, Glendale, WI.

- Support Proposal A in all cases.

Jack Smies.

- East Holland Citizens League, Hood Association, Lake Church Lakeshore Citizen League, Great Lakes Coalition
- Great Lakes input in planning, OHWM sand movement, riparian rights basis.

Dave Nusbaum, Brookfield, WI.

- Loon Lake

Walter Baade, Oconomowoc, WI.

- Nonconforming structures and lot size.

Ezra Meyer, Madison, WI.

- Friends of the Mukwonago River, Co-Director
- Thank you for the excellent program and the opportunity to provide comments.

Chris Goebel, Fontana, WI.

- Geneva Lake Conservancy (Executive Director)
- Monitoring, enforcement of required mitigation.

Lewis E. Burgeson, Muskego, WI.

- Rules pertaining to urban area lakes.

Richard Jenks, Mukwonago, WI.

- Phantom Lakes Management District

Mrs. Viola Mueller, Oconomowoc, WI.

- Nonconforming structures

Donald L. Carey, West Allis, WI.

- Setback requirements

Ralph Olsen MD, West Bend, WI.

- Big Cedar Lake Protective and Rehab. District
- Enforcement

Jim Pierce, Pewaukee, WI.

- Lot size

Jack H. Werner, Menomonee Falls, WI.

Richard Nermack, Pewaukee, WI.

Ronald Q. Hettuer, Delafield, WI.

- BGW Spectre LTD
- All - economics and practical

Dennis Koshere, Muskego, WI.

- Concerned citizen
- General.

Chuck Mitchell, Wauwatosa, WI.

- Citizens for a Scenic Wisconsin

Mary Knippew, Delevan, WI.

- Substandard lots/structures

Roger E. Walsh, Wauwatosa, WI.

- Big Cedar Lake Protection and Rehabilitation District

Floyd Pochowski, Elkhorn, WI.

- Lauderdale Lakes Improvement Assoc.

Cheryl Nenn, Milwaukee, WI.

- Friends of Milwaukee's Rivers

Fred Storm, Hartland, WI.

- -Proposed modifications should have variable conditions depending on regional area population densities. -Are hardships that must be demonstrated to support present variance requirements be eliminated or modified? -How are proposed changes going to affect existing structures that do not conform. Presume use of mitigation procedure for any subsequent improvement.

Joe Maniaie, Oostburg, WI.

- OHWM - existing structures.